

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chairman, on rollcall No. 516, I was in my congressional district on official business. Had I been present, I would have voted "no".

Mr. HUNTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. ADERHOLT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10) to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 4200, RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. HUNTER submitted the following conference report and statement on the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes: (Conference report will be printed in Book II of the RECORD.)

REQUESTING THE SENATE TO RETURN TO THE HOUSE OF REPRESENTATIVES S. 1301

Mr. HUNTER. Mr. Speaker, I offer a privileged resolution (H. Res. 842) requesting return of official papers on S. 1301, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 842

Resolved, That the Clerk of the House of Representatives request the Senate to return to the House the bill (S. 1301), an Act to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 827 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 10.

□ 1222

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 10) to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes, with Mr. ADERHOLT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, the amendment numbered 12 printed in House Report 108-751 by the gentleman from Wisconsin (Mr. GREEN) had been disposed of.

It is now in order to consider amendment No. 14 printed in House Report 108-751.

AMENDMENT NO. 14 OFFERED BY MR. SMITH of new jersey

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. SMITH of New Jersey:

Strike section 3006 (page 242, line 18 through page 244, line 9) and redesignate provisions and conform the table of contents accordingly.

The CHAIRMAN pro tempore. Pursuant to House Resolution 827, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, section 3006 would make one of the most sweeping, unfair changes in immigration policy in the last decade and, if enacted, would pose life-threatening consequences for asylum seekers, trafficking victims, men, women and children. Section 3006 would radically alter existing law with respect to expedited removal, and it would mandate that any noncitizen found in the U.S. be summarily deported if an immigration officer determined that the person had not been inspected upon entry to the country and could not prove to the immigration officer that he or she had been living in the U.S. for more than 5 years.

This mandate, Mr. Chairman, effectively transforms what was a discretionary program managed by Homeland Security and requires them to impose this procedure anywhere, including in the interior of the U.S.

Section 3006 would be especially harmful for women and children who are escaping a range of gender-related persecutions such as rape, sexual slavery, trafficking and honor killings since persons scarred by such trauma often require time before they can step forward to express their claims.

Mr. Chairman, section 3006 would provide for a super-expedited process of removing these people from the United States, with virtually no right of re-

view, thus eviscerating protections that Congress has provided over the last several years for such victims in the Victims of Trafficking and Violence Protection Act which I was the prime sponsor of and is the law of the land.

Mr. Chairman, I want all of my colleagues to know that President Bush, in his SAP which came out yesterday, made it very clear that he is against this provision. The Bush administration wants this out. I call on Members on both sides of the aisle, Democrats and Republicans, to vote for my amendment which would strip it. Also, there are some 40 organizations, the U.S. Catholic Conference of Bishops; National Association of Evangelicals; Refugees International; and Human Rights First—a whole array from the left, right, middle, and everywhere else, who say this is an unwarranted change, an unfair change in our immigration policy. It does not belong in here. The 9/11 Commission did not ask for it.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is not an issue of humanitarian application of our immigration refugee laws. It is an issue of securing our borders. None of the people the gentleman from New Jersey described would be subject to this if they have come to the United States and entered legally with a claim of persecution under the Refugee Act or a claim of asylum because of what is going on in their home country.

Simply stated, the amendment of the gentleman from New Jersey would strike the expedited removal provisions of this bill. The expedited removal provisions say that the provision of existing law shall be used when the INS picks up somebody who is illegally in this country and who has not been here for 5 years or more.

What is going on is that there are a lot of non-Mexicans that are coming across the southern border. Many of these people come from the Middle East. Without having the expedited removal procedures that are contained in this law, we are stuck with these people. This is a tremendous security threat to the United States. And what the provision that the gentleman from New Jersey seeks to strike is a provision that says that you do not have to jump through all kinds of legal hoops to get these people who have illegally entered the United States out of our country or who have entered legally and have overstayed their visas. It is as simple as that. This is a question of border security. It is not a question of persecuting all of the list of people that the gentleman from New Jersey talked about.

If you want secure borders in this country, the only vote on the Smith amendment is "no."

Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to my good